



State of California
Respiratory Care Board
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Inquiry: I own an Oximetry qualifying service and provide qualifying oximetry studies performed in the patients home. I offer this service on a mailer program where I mail the patient a Healthdyne 920 M with instructions, a toll free number, and a postage paid mailer. The patient places the probe on their finger and goes to sleep. The monitor is mailed to me the next day and I download the monitor to a software program and compile a summary report that list the lowest SPO2 and any other noteworthy data such as elevated heart rate, tremors and OSA pattern. This summary along with three other pages of the study are faxed to the physician for final interpretation. (1) Could you help me understand how your particular licensure laws affect this type of service? (2) Does one have to be licensed in California to mail a monitor to a patient in California? (3) Can I provide this service from my Illinois office to patients in California? (4) If not, would it satisfy the requirement if I hired a licensed RT in California to compile the summary report? (5) How is it that this service can be offered by non-licensed, non Respiratory Therapist in California? (An example is an EMT-P that owns a similar service and boasts that he can send a monitor anywhere in the U.S.)

Response: After a review by the full Board and based on the information provided, the RCB does not believe that a respiratory care practitioner license is required in the procedures described above. However, the RCB is forwarding a copy of your inquiry and this response to the Medical Board of California to determine whether any functions fall under that Board's jurisdiction.

Reference # 2001-C-08